

## **Exhibit A**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re PARMALAT SECURITIES LITIGATION,  
This document relates to: 07 CV 03790

JOHN HANCOCK LIFE INSURANCE  
COMPANY, JOHN HANCOCK VARIABLE  
LIFE INSURANCE COMPANY, and JOHN  
HANCOCK INSURANCE COMPANY OF  
VERMONT,

Plaintiffs,

vs.

BANK OF AMERICA CORPORATION; a  
Delaware Corporation; BANK OF AMERICA,  
N.A., A National Banking Association with  
branch banks throughout the United States,  
including in Massachusetts; and BANC OF  
AMERICA SECURITIES LLC, a Delaware  
limited liability company,

Defendants.

MASTER DOCKET  
04 MD 1653 (LAK)

**SECOND AMENDED NOTICE OF  
DEPOSITION**

Please take notice that, pursuant to Fed. R. Civ. P. 30(b)(6), plaintiffs will take the deposition of defendants Bank of America Corporation, Banc of America Securities LLC, and Bank of America, N.A. (collectively "Bank of America"). Pursuant to Rule 30(b)(6), Bank of America shall designate one or more officers, directors or managing agents, or other persons who consent to testify on its behalf relating to the documents identified on Schedule A. The deposition will be held at the offices of Sidley & Austin LLP, located at 787 7<sup>th</sup> Avenue, New York, New York 10019. The deposition shall be recorded

stenographically, by videotape and through the instant visual display of testimony. The deposition will begin on October 10, 2007 at 9:30 a.m.

Dated: October 1, 2007

Respectfully submitted,

By:

  
Lauren Smith (Admitted Pro Hac Vice)

HENNIGAN, BENNETT & DORMAN LLP  
865 S. Figueroa Street, Suite 2900  
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(213) 694-1200 (Telephone)  
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**SCHEDULE A**

**Definitions and Instructions**

1. "Bank of America" or "Bank of America defendants" means defendants Bank of America Corp., Banc of America Securities, LLC, and Bank of America, N.A., including (as defined by Local Rule 26.3(a)(5)) any of the foregoing entities' officers, directors, employees, partners, corporate parent, subsidiaries or affiliates.
2. "Affiliate" means each corporation, proprietorship, d/b/a, partnership, joint venture and business entity that, directly or indirectly, in whole or in part, owns or controls, is under common ownership or control with, or is owned or controlled by a person, party or entity, including each parent, subsidiary and joint venture of each person, party or entity.
3. "Document" shall be defined by Local Rule 26.3(c)(2).
4. "Concerning" shall be defined by Local Rule 26.3(c)(7).
5. "And," "or" and "and/or" shall be defined by Local Rule 26.3(d)(3).
6. "Person" shall be defined by Local Rule 26.3(c)(6).
7. "Including" means including without limitation.
8. "Representative" means any current or former officer, director, agent, employee, partner, joint venturer, attorney, consultant or other person acting for or on behalf of any other person.
9. "Parmalat" means Parmalat Finanziaria S.p.A., Parmalat S.p.A. and any of their subsidiaries and affiliated companies.
10. The relevant time period for the deposition topics is from January 1, 1994 to December 2003 (except as otherwise stated).

**Deposition Topic and Documents**

1. Document entitled Banc of America Securities Debt Capital Markets Due Diligence Policy and Procedures dated March 1, 2002 bearing production numbers BOFA 1843764 through 1843916, attached as Exhibit 1 to the original notice; with specific reference to the portion of the document Bates No. BOFA 1843869 through 1843916, which was recently adjudged not protected by the attorney-client privilege by United States Magistrate Judge Pitman.
2. Document entitled Credit Approval Memorandum Modification dated October 9, 2002, bearing production numbers BOFA 2063474 through 2063527, attached as Exhibit 2 to the original notice.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 1st day of October, 2007, I, Olivette C. Sasser caused true and correct copies of the foregoing **SECOND AMENDED NOTICE OF DEPOSITION** to be served by mail upon:

Peter J. Covington  
 John H. Cobb  
 Matthew Hoefling  
**Helms Mulliss & Wicker, PLLC**  
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 P.O. Box 31247  
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HMWParmalatCounsel@hmw.com

*Counsel for Bank of America*

I hereby certify that on this 1st day of October, 2007, I, Olivette C. Sasser caused true and correct copies of the foregoing **SECOND AMENDED NOTICE OF DEPOSITION** to be served by electronic mail upon:

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<b>Belin Lamson McCormick Zumbach Flynn</b> A Professional Corporation The Financial Center, 666 Walnut Street, Suite 2000 Des Moines, IA 50309-3989 Telephone: 515-243-7100 Fax: 515-558-0715  <b>EMAIL:</b> Richard W. Lozier Jr. ( <a href="mailto:rwllozier@belinlaw.com">rwllozier@belinlaw.com</a> ) Mark E. Weinhardt ( <a href="mailto:meweinhardt@belinlaw.com">meweinhardt@belinlaw.com</a> )	Bank of America

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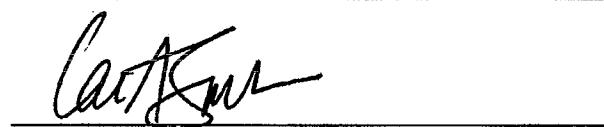
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Lauren A. Smith

State of California )  
                      )  
                      ) ss  
County of Los Angeles)

On October 1, 2007, before me, O. Sasser, Notary Public personally appeared Lauren A. Smith, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public

